

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12-18-17

UNITED STATES OF AMERICA

- v. -

ANDREW COOK,

Defendant.

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: INFORMATION
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: S1 17 Cr. 147 (PKC).
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COUNT ONE

The United States Attorney charges:

1. From at least in or about January 2016, up to and including in or about April 2016, in the Southern District of New York and elsewhere, ANDREW COOK, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Title 21, United States Code, Sections 331(a) and 333(a)(2).

2. It was a part and an object of the conspiracy that ANDREW COOK, the defendant, and others known and unknown, with the intent to defraud and mislead, would and did introduce and deliver for introduction into interstate commerce a drug that was misbranded, as those terms are defined in Title 21, United States Code, Section 352(a) & (f), in violation of Title 21, United States Code, Sections 331(a) and 333(a)(2).

Overt Act

3. In furtherance of the conspiracy and to effect the illegal object thereof, ANDREW COOK, the defendant, and others known and unknown, committed the following overt act, among others, in the Southern District of New York and elsewhere:

a. On or about April 3, 2016, COOK sold and shipped in interstate commerce approximately 5 grams of methoxetamine hydrochloride to an individual with an address in New York, New York, in a package containing a label that falsely and fraudulently stated: "Not for Human Consumption."

FORFEITURE ALLEGATION

4. As a result of committing the offense alleged in Count One of this Information, ANDREW COOK, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

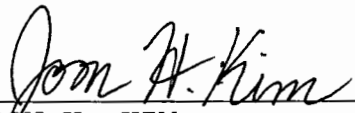
Substitute Assets Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



JOON H. KIM
Acting United States Attorney

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(18 U.S.C. § 371)

JOON H. KIM

Acting United States Attorney.
